



Special Studies and Evaluation
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CHOICE IN CALIFORNIA'S PUBLIC SCHOOLS: CURRENT FLEXIBILITY BETWEEN AND WITHIN SCHOOL DISTRICTS

California has three laws that permit, but do not require, student interdistrict transfers. These laws, now sections of the state's Education Code (EC), range from relatively flexible to relatively prescriptive. Moving along this continuum are the following three provisions for student transfers **between** school districts:

- a) EC section 46600, Interdistrict Transfers, in existence for over 20 years, permitting unlimited, renewable individual or blanket agreement student transfers
- b) EC section 48204 (f), Parental Employment in Lieu of Residency, "Allen Bill Transfers," dating from 1987, allowing elementary school children to be eligible, with restrictions, for automatically renewed residency status in school districts in geographic areas where their parents work
- c) EC section 48209.9, Districts of Choice, enacted in July 1993, allowing school districts to accept a district-specified number of interdistrict transfer students per year, under numerous conditions.

California also has multiple provisions allowing for student transfer and options **within** a school district. The predominant provisions in this category include:

- a) EC section 35601.5 (b), Alternative Attendance Within District, enacted in July 1993, requiring, for the first time, local school adoption, by July 1, 1994, of rules and regulations establishing a within-district open enrollment policy as a condition of apportionment
- b) SB 1448, Charter Schools Act of 1992, allowing petitions to local school boards for the establishment and maintenance of charter public schools operating independently of both the EC and school district structure
- c) EC sections 35160, 51225.3(a), 51228(d), and 58500-58512, authorizing district alternative schools, including magnet schools and programs, geared to maximizing student learning opportunities and to enhancing the general school curriculum by innovations generated in such schools
- d) EC sections 48400-48454, supplemented by California Administrative Code Title 5, sections 11000-11010, mandating compulsory continuation education serving the special needs of 16-18 year old students
- e) EC sections 46300(3), 51745-51749.5, supplemented by California Code of Regulations, Title 5, sections 11700-11703, authorizing school districts to offer independent study, as an alternative to classroom instruction, consistent with districts' courses of study
- f) EC sections 48630-48644.5, authorizing school districts to provide opportunity programs and classes with specialized academic and support services for truant, disorderly, insubordinate, or academically troubled students.

In addition, state laws permit public high school students to **enroll jointly** in other educational institutions. These provisions include the following:

- a) EC sections 48800 and ff., allowing high school students to enroll in community college courses in conjunction with their high school courses
- b) EC sections 52300, 52301, 51310, 52314, 52317, 52325, and 46606, permitting high school students to enroll in Regional Occupation Programs and Centers (ROP/C's) in conjunction with their high school courses.

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